THE HONOURABLE SRI JUSTICE V.ESWARAIAH

W.P. No. 22628 of 2007

Date:26-10-2007

Between:

Kolli Suresh Kumar and (21) others

…Petitioners

AND

The District Collector, Krishna District and two others

..

Respondents

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ORDER:

The petitioners seek a writ of mandamus to declare the action of the 3rd respondent in issuing the proceedings Rc.No.187/2007, dated 12.10.2007 under the A.P. Assigned Lands (Prohibition of Transfers) Rules, 2007 and proposing to dispossess the petitioners from their respective lands in Sy.Nos.9/2, 10/1B, 10/2, 11/1,13/2, 14/3, 15/1, 15/2, 15/3, 16/1, 16/2, 16/3, 17/1, 17/3, 17/4, 20/1, 22/2, 22/3, 22/4, 22/5, 23/1, 23/2, 26/1, 26/2, 26/3, 27/1, 27/2, 30/1 and 30/2 situated in Unikilli village, Mandavalli mandal, Krishna District, as illegal and arbitrary.

It is the case of the petitioners that they have been granted 'D' form pattas in various extents of lands situated in Unikilli village, Mandavalli mandal, Krishnas District in the year 1985 and pattadar pass books and title deeds have been issued in their favour and all of them have been cultivating the said lands by converting the same into fish tanks with the prior permission of the Mandal Revenue Officer and they have not leased out or alienated the said lands in favour of any third persons. While so, after serving the notices, dated 27.08.2007 and after considering the explanations of the petitioners, orders have been passed for resumption of the aforesaid lands in Rc.No.187/2007, dated 12.10.2007 by the third respondent. Aggrieved by the said orders, the petitioners have field an appeal before the second respondent on 20.10.2007. It is stated that even before the said appeal is considered and disposed of, the third respondent is taking steps to dispossess the petitioners from their lands.

I am not inclined to express any opinion with regard to the

merits of the case.

Having regard to the facts of the case, if the appeal said to have been filed is pending before the second respondent, the second respondent is directed to consider and dispose of the said appeal as expeditiously as possible and pending disposal of the said appeal, status-quo obtained as on today with regard to possession of the lands shall be maintained.

With the aforesaid directions, the writ petition is disposed of. There shall be no order as to costs.

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V.ESWARAIAH, J.

Date:26.10.2007
ccm